

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America et al.,

Plaintiffs,

-against-

Live Nation Entertainment, Inc. and
Ticketmaster L.L.C.,

Defendants.

24-CV-3973 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

Plaintiffs filed a supplemental letter in opposition to defendants' motion to dismiss on January 27, 2025. Dkt. 410. The filing included information and exhibits that defendants and non-party AEG designated as Confidential or Highly Confidential, so plaintiffs provisionally filed under seal but requested clarification from defendants and AEG on whether sealing was warranted. Dkt. 408. Non-party AEG withdrew its confidentiality designation of Exhibit B, Dkt. 414, but defendants requested that all of Exhibit A and parts of Exhibit C remain under seal, Dkt. 415. Exhibit A contains two contracts between Live Nation and third-party venues. Exhibit C contains emails between Live Nation and a third-party promoter, and the redacted portions are personal contact information of individuals in the email chain and the names of two artists.

The Court evaluates motions to seal under the Second Circuit's three-pronged test, which 1) asks whether relevant documents are "judicial documents," 2) considers the "weight" of the "common law presumption of access," and finally 3) "balance[s] competing considerations," including private interests. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted). Given that non-party AEG has withdrawn its confidentiality designation, there is no basis for sealing Exhibit B. But applying the *Lugosch* factors, Exhibit A and the redacted information in Exhibit C should remain under seal.

The Clerk of Court is respectfully directed to terminate the motion at Dkt. 408.

SO ORDERED.

Dated: February 13, 2025

New York, New York


ARUN SUBRAMANIAN
United States District Judge